

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	:	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,962	09/16/2005		Charles F Kutscher	(A)	NREL 03-17	8369
Paul J White	7590 0	07/17/2007			EXAM	INER
NREL					BONK, TERESA	
1617 Cole Boul Golden, CO 80					ART UNIT	PAPER NUMBER
			•		3725	
				•		DEC (1) TEN (1 / ADE)
					MAIL DATE	DELIVERY MODE
					07/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of time may be available under the provision of 37 CFR 1:38(i) in no event, nower, may a reply be simely filed If NO period for reply is appelled above, the maximum statutory period will apply and will expire SIX (5) MONTHS from the mailing date of this communication. Failure to reply which the set or extended period for reply is appelled above, the maximum statutory period will apply and will expire SIX (5) MONTHS from the mailing date of this communication. Failure to reply which the set or extended period for reply will, by statuse, cause the application become ABANDONED (30 U.S. C. § 133). Any reply received by the Office liter than these mostles after the mailing date of this communication, even if timely filed, may refuse any search period will apply any vertices any results of the marriang date of this communication, even if timely filed, may refuse any search period will apply any vertices any results of the marriang date of this communication. Pair to reply will the set or certification is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-49 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are are expected. 7) Claim(s) is/are are expected. 10 The proving of the proving the correction is required if the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made o		Application No.	Applicant(s)						
Teres M. Bonk Tress		10/549,962	KUTSCHER ET AL.						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address—Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION: Extensions of time rupb eavailate under the provisions of 37 CFR. 118(b). In covers1, howers, may reply be timely field If NO period for reply is pecified above, the maximum statutory period will apply and will expire SN (8) MONTHS from the mailing date of this communication. Failure to self-ywhich best or extended period for reply its patakete, cashe application from the mailing date of this communication. Failure to self-ywhich best or extended period for reply life, shallow, cashe application, even if enricy filed, may reduce any served patch in the self-year mailing date of this communication, even if enricy filed, may reduce any served period from adjustment. Status Status Status Status This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-49 islare pending in the application. 4a) Of the above claim(s) islare rejected. 5) Claim(s) islare rejected. 7) Claim(s) islare rejected to. 8) Claim(s) islare rejected to. 8) Claim(s) 1-49 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on islare: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S	Office Action Summary	Examiner	Art Unit						
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2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-49 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) 1-49 are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * ○ ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No. 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	Status								
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Art Unit: 3725

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-17, drawn to a method for fabricating a heat transfer fin.

Group II, claim(s) 18-37, drawn to a fin.

Group III, claim(s) 38-49, drawn to an air-cooled hear exchanger.

The inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: In Group II, the fin product does not have creating openings by removal of material. In Group III, the heat exchanger claims have conduits with fins spaced apart a fin separating distance. There is a burden in searching the method claims because of the steps of creating openings by removal of material and there is burden in searching the heat exchange claims because they have conduit limitations.

2. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and

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specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Teresa M. Bonk whose telephone number is (571) 272-1901. The examiner can normally be reached on M-F 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks Derris can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Teresa M. Bonk

Examiner

Art Unit 3725

DERRIS H. BANKS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700